

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated June 20, 2006 (hereinafter Office Action) have been considered. Claims 1-17, 19-27 and 33 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 1, 3-5, 10-12, 15-17, 19, 21-23, 27 and 29-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,349,352 to Lea (hereinafter “*Lea*”). The Applicants respectfully traverse the rejection.

The Applicants respectfully submit that the claims as previously presented are not rendered obvious in view of *Lea*. However, in order to facilitate prosecution of the application and in a *bona fide* attempt to advance the application to allowance, the Applicants present this response with amendment to clarify particular aspects of the claimed invention. Independent Claims 1, 12, 19, and 33 have been amended to at least set forth that each of a plurality of automation modules include an enclosure with a physical interface that is capable of physically coupling with any others of the plurality of automation modules. The automation modules also include data interfaces that are capable of data coupling with any others of the plurality of automation modules and exchanging data with any other automation modules of the plurality of automation modules. The Applicants submit that these amendments are fully supported in the Specification as originally filed (e.g., Specification, page 10, lines 1-4).

The Applicants submit that independent Claims 1, 12, 19, and 33 are not rendered obvious by *Lea*. According to MPEP §2142, to establish a *prima facie* case of obviousness under 35 U.S.C. §103:

- 1) there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;
- 2) there must be a reasonable expectation of success; and

- 3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

All three criteria must be met to establish *prima facie* obviousness of a claim. The Applicant respectfully submits that the *Lea*, even if modified as suggested by the Examiner, does not teach or suggest all of the claim limitations. *Lea* is directed to implementing generic data interfaces into consumer electronics devices such as set top boxes, digital video tape recorders, video cassette recorders, personal computers, and digital video disk players so that the devices can inter-operate (e.g., *Lea* col. 2, lines 47-50 and col. 7, lines 41-45). The Examiner has relied on FIG. 1-5 of *Lea* to show “two or more audio/video (AV) electronic devices interoperating in a network wherein each of the AV devices has a corresponding device control module (DCM).” (Office Action, p. 3). Although the Office Action states that *Lea* is silent on two or more AV devices connectable into a single physical assembly, the Examiner maintains that “the concepts and advantages of integrating two or more audio devices into a single physical assembly is very well known and expected in the art.” The Applicants respectfully disagree, but present this response with amendments that more clearly state what is believed to have been originally set forth in these claims, but now states so more specifically

In contrast to *Lea*, Applicants’ independent claims now set forth that a plurality of modules have physical and data interfaces that allow each module to be physically coupled with any others of the plurality of automation modules and data coupled to any others of the plurality of automation modules. *Lea* is deficient on teaching or suggesting these interchangeability features for at least two reasons. First, the Examiner has relied on the DCM modules within particular audio video equipment to show automation modules as set forth in Applicant’s claims, but nowhere does *Lea* describe the DCM as having an enclosure and physical interface as set forth in Applicants’ claims. Secondly, *Lea* shows the DCM incorporated into traditional consumer electronics such as set top boxes, digital video tape recorders, video cassette recorders, personal computers, and digital video disk players, and as commonly known in the art these devices would not be considered “modules,” but standalone devices. Thus *Lea* merely shows standard home electronics devices with

interoperable functional modules contained within, but does not show physical and data interoperability of individual modules. Therefore Applicants respectfully submit that Claims 1, 12, 19, and 33 are allowable over *Lea*.

Dependent Claims 3-5, 10, and 11 depend from independent Claim 1; dependent Claims 15-17 depend from independent Claim 12; and dependent Claims 21-23 and 27 depend from independent Claim 19. These dependent claims also stand rejected under 35 U.S.C. §103(a) as being obvious in view of *Lea*. While Applicant does not acquiesce with the particular rejections to these dependent claims, including any assertions concerning inherency or the taking of Official Notice, these rejections are now moot in view of the remarks made in connection with independent Claims 1, 12, and 19. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from *Lea*. Therefore, dependent Claims 3-5, 10, 11, 15-17, 21-23, and 27 are also in condition for allowance

As to the rejection of Claims 29-32, these rejections are now moot in light of cancellation of these claims without prejudice or disclaimer. Thus, without acquiescence of the rejection or reasons therefor, the Applicants reserve the right to file continuing applications involving the original subject matter of the application, including that subject matter associated with original Claims 29-32.

Claims 2 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Lea* in view of U.S. Patent No. 5,929,748 to Odinak (hereinafter “*Odinak*”). Claims 6-9, 13, 14 and 24-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Lea* in view of U.S. Patent No. 6,288,641 to Casais (hereinafter “*Casais*”). Applicants respectfully traverse the rejection. Applicant believes these rejections are now moot in light of the amendment of Claims 1, 12, and 19. For the rejections of Claims 2, 6-9, 13, 14, 20, and 24-26, the Examiner relies on *Lea* as teaching the substance of Claims 1, 12, and 19 from which the rejected claims respectively depend.. The Examiner does not rely on *Odinak* or *Casais* as providing a remedy to the deficiencies of *Lea* as it pertains to independent Claims 1, 12, and 19 nor do *Odinak* or *Casais* provide such a remedy. Thus, because neither *Lea*, *Odinak*, nor *Casais* teach or suggest at least the recitations of Claims 1, 12, and 19,

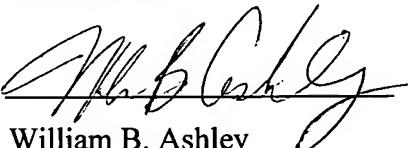
combinations of *Lea* with *Odinak* and *Lea* and *Casais* also fail to teach or suggest these recitations. In particular, none of these references show a plurality of modules having physical and data interfaces that allow each module to be physically coupled with any others of the plurality of automation modules and data coupled to any others of the plurality of automation modules. While other requisites of establishing *prima facie* obviousness may also be absent, the Applicants respectfully submit that the cited combination of references at least fails to teach or suggest all of the claim limitations. For at least this reason, Claims 2, 6-9, 13, 14, 20, and 24-26 are not rendered obvious by respective combinations of *Lea*, *Odinak*, and *Casais*, and withdrawal of the rejections is respectfully solicited.

Authorization is given to charge Deposit Account No. 50-3581 (NOKM.077PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact him at to discuss any issues related to this case.

Respectfully submitted,

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